

GOVERNMENT OF ANDHRA PRADESH
ABSTRACT

Public Services –Dr. B.Jonethan Special Grade Civil Surgeon and former Director (I/c) (Retired) – Departmental proceedings under Rule 9 of Revised Pension Rules, 1980 – Articles of Charges – Issued.

LABOUR EMPLOYMENT TRAINING AND FACTORIES (VIG) DEPARTEMNT.

G.O.Rt.No. 1154

Dated : 08. 10.2012.

Read the following

G.O.Rt.No. 1153, LET&F (Vig) Deptt., dated : 08.10.2012

ORDER:

In pursuance of the sanction accorded by the Government under sub-clause (i) of clause (b) of sub-rule (2) of Rule 9 of the Revised Pension Rules, 1980 for instituting departmental proceedings against Dr. B.Jonethan Special Grade Civil Surgeon and former Director (I/c) (now Retired) vide G.O.Rt.No. 1153, Labour Employment Training & Factoreis (Vig) Department, dated: 08.10.2012 it is proposed to hold an inquiry against the said Dr. B.Jonethan Special Grade Civil Surgeon and former Director (I/c) (Retired) in accordance with the procedure laid down in Rule 20 of the Andhra Pradesh Civil Services (CCA) Rules, 1991.

2. The substance of the imputations of misconduct or misbehavior in respect of which the inquiry is proposed to be held is set out in the enclosed statement of articles of charge (Annexure.I). A statement of imputations of misconduct or misbehavior in support of each article of charge is enclosed (Annexure-II). A list of documents by which, and a list of witnesses by whom, the articles of charge are proposed to be sustained are also enclosed in (Annexure III and IV). Copies of documents in support of charges are enclosed.

3. Dr. B.Jonethan Special Grade Civil Surgeon and former Director (I/c) (Retired) is directed to submit his written statement of defence within 10 days from the date of receipt this order and also to state whether he desires to be heard in person.

4. Dr. B.Jonethan Special Grade Civil Surgeon and former Director (I/c) (Retired) is informed that an inquiry will be held only in respect of those articles of charges as are not admitted. He should, therefore, specifically admit or deny each article of charge.

5. Dr. B.Jonethan Special Grade Civil Surgeon and former Director (I/c) (Retired) is informed that if he does not submit his written statement of defence on or before the date specified in para 3 above, or does not appear in person before the inquiry authority or otherwise fails or refuses to comply with the provisions of rule 20 of the Andhra Pradesh Civil Services (CCA) Rules, 1991, or the orders / directions issued in pursuance of the said rules, further action will be proposed based on the material available.

6. Attention of Dr. B.Jonathan Special Grade Civil Surgeon and former Director (Retd.) is invited to Rule 24 of the Andhra Pradesh Civil Services (Conduct) Rules 1964, under which no Government servant shall bring or attempt to bring any political or outside influence to bear upon any superior authority to further his interests in respect of matter pertaining to his service under the Government. If any representation is received on his

behalf from another person in respect of any matter dealt with these proceedings it will be presumed that, Dr. B.Jonathan Special Grade Civil Surgeon and former Director (Retd.) is aware of such a representation and that it has been made at his instance and action will be taken against him for violation of Rule 24 of the Andhra Pradesh Civil Services (Conduct) Rules, 1964.

7. The receipt of this G.O. may be acknowledged.

(BY ORDER AND IN THE NAME OF THE GOVERNOR OF THE ANDHRA PRADESH)

J.C. SHARMA,
PRINCIPAL SECRETARY TO GOVERNMENT

To

Dr. B.Jonathan Special Grade Civil Surgeon and former Director (I/c) (Retired) thru
the Director, Insurance Medical Services.

The Director of Insurance Medical Services, Andhra Pradesh, Hyderabad.

(With a request to serve the charge
order and obtain the dated acknowledgement
and furnish the same).

//Forwarded :: By order//

SECTION OFFICER

Annexure – I Articles of Charges

Charge ; 1 That Dr.B.Jonathan while working as Director of Insurance Medical Services, in charge (now retired), committed the irregularities in having purchased certain costly equipment in Insurance Medical Services Department for National Vector Borne Diseases Programme to the Dispensaries at higher prices where there is no necessity of such costly equipment thus misappropriation of huge Government funds committing misconduct and moral turpitude and taken by contravene of Rule 3 (1) (2) of Andhra Pradesh Civil Services(Conduct) Rule, 1964 .

Charge : 2 : That Dr. Jonathan while working as Director of Insurance Medical Services, in charge(now retired), without following the guidelines of ESIC/ the Govt. in purchases the costly equipment for NVBD programme committing lacked sense of propriety, devotion, promptness and had been negligent and un devoted in the discharge of his duties as Director of Insurance Medical Services, thus, by violation Rule 3(1) (2) of the Andhra Pradesh Civil Services (Conduct) Rules, 1964.

J.C. SHARMA,
PRINCIPAL SECRETARY TO GOVERNMENT

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Annexure – II, Statement of Imputations of misconduct

The following irregularities were committed in the purchase of medical equipment for use in Insurance Medical Services department under the National Vector Borne Diseases Programme:-

The NVBD Programme prescribes a binocular microscope and slide to collect the blood smear and detect the parasite. The guidelines also prescribe that symptomatic treatment should be commenced by Medical Officer concerned even without waiting for the result of the test, since the malarial drugs or any other Vector Borne disease drugs are not costly and not having any side effects.

The cost of each equipment is around 15.00 lakh where as the NVBD Programme prescribes a Binocular Microscope and slide to collect the blood smear and detect the parasite. The guidelines also prescribe that symptomatic treatment should be commenced by the Medical officer concerned even without waiting for the result of the test, since the Malarial drugs or any other Vector Borne Disease Drugs are not costly and not having any side effects.

Per Mensum maintenance cost of the equipment itself will be 3 to times of the cost of a Binocular Microscope, thus the operational cost of prohibitive without any advantage.

The Regents cost of which are required for taking blood sample and conducting test works out to Rs. 100/- per test as against the Microscopy blood smear cost of Rs.1/- per test. The agreement for supply of these regents for a period of one year has been entered into with the Vendor at the following rates:-

Products	Pack Size	Spl.Rate
CATLLA TUBES CA 424238	200 Tubes	Rs. 19,118.00
VENOUS 11 BESCA 424237	200 Tubes	Rs.19,118.00
MALARIA TUBES 530005	250 Tubes	Rs. 19,608.00
IMRSAON OIL120 CC 16484	100 ml	Rs. 4,412.00

The equipment were supplied to the dispensaries where hardly any patient suffering from malaria symptoms goes daily. There may be some cases in a particular season and these cases can be treated with symptomatic treatment, if required, the test can be conducted through Binocular Microscope already supplies to these dispensaries.

The QBC equipment have to be preserved under the controlled temperature, means there must be an Air Conditioner and dust free atmosphere. If this facility is not there the results are not likely to be accurate. The ESI dispensaries which are located in remote areas are not provided with air conditioners and there are chances of frequent interruptions in power supply. This being the case the equipment is not likely to fulfill the object for which they are installed.

No AMC was entered into with vendor. The warranty period was coming to an end by December 2009. This being a patented item no other company would be in a position to undertake maintenance of the equipment. Moreover there is no requirement for maintenance for Binocular Microscopes.

The above recurring cost has to be incurred for conducting the test of each blood sample and the then DIMS has entered into agreement for supply by the Vendor only for a period of one year but not at the same rate for the life cycle of the equipment or at least for the next 2 to 3 years. Since this is a patented item, the regents have to be purchased from the vendor only at the future rates, otherwise, the entire investment of Rs. 7.00 Cr. Will be wasteful.

The Rapid Diagnostic kits have been put to trial by the WHO after calling global tenders and this vendor/ company is not qualified/ did not supply equipments for trial tests by the WHO, thus it does not figure in the list of equipments approved by WHO. Hence procurement of such equipment is not in guidelines / recommendations of the WHO/ WPRO for diagnostics of vector borne diseases.

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PRINCIPAL SECRETARY TO GOVERNMENT

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ANNEXURE – III

Sl.No.	RC.No. and date	Remarks
1	3906/CDSI/09, 18.06.2009 addressed to the Principal Secretary to Government	All the rules followed in purchase were mentioned
2	Government memo.No. 7772/IMS-2/2006-1	
3	Authorisation certificate issued by RANBAXY RFCL Ltd., to Medicare Associates for QBC Equipment	
4	Manufacturers authorization from of QBC Diagnostics, USA issued to RFCL Ltd., New Delhi	
5	U.S. Patent certificate for the QBC equipment	
6	Proprietary article certificate issued by the then Director Dr. G.V.V.S.K.Bhushanam in r/o QBC equipment	
7	List of dispensaries where the QBC equipment were supplied	
8	Rc.No. 197/stores/09 Date : 04.07.2009 of the Joint Director of IMS Kadapa	It was justified by the Joint Directors that the indents were placed by the I.M.O's of the ESI dispensaries along with the details of the number of investigations done on the machine
9	Rc.No. 2162/E4/JDIMS/VJA/2009 date 14.07.2009 of the Joint Director of IMS Vijayawada	It was justified by the Joint Directors that the indents were placed by the IMO's of the ESI Dispensaries along with the details of the number of investigations done on the machine.

J.C. SHARMA,
PRINCIPAL SECRETARY TO GOVERNMENT

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ANNEXURE –IV

List of witnesses;

The Joint Directors of Insurance Medical Services present at the time of supply of QBC equipment were

1. Dr. Ravi Kumar : Joint Director of Insurance Medical Services, Vijayawada
2. Dr. K.V.S.Prasad : Joint Director of Insurance Medical Services, Kadapa.

J.C. SHARMA,
PRINCIPAL SECRETARY TO GOVERNMENT

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